

REMARKS

This Response is submitted in response to the Non-Final Office Action dated September 27, 2007. Claims 1-7 and 11-13 have been amended. No new matter is added.

35 USC §101 Rejections

The Office Action rejects Claims 6 and 13 under 35 USC §101 because the claimed invention is directed to non-statutory subject matter. Specifically, the Office Action states that the claims are directed towards computer programs. Applicants have amended Claims 6 and 13 to read, in relevant part, “A program on a computer readable medium,” as suggested by the Examiner.

Applicants respectfully submit that Claims 6 and 13 are in condition for allowance.

35 USC §102 and §103 Rejections

The Office Action rejects Claims 3-4 under 35 USC §102(e) as being anticipated over Shimizu (U.S. Patent Application No. 2002/0162111). The Office Action additionally rejects Claims 1, 2, 5 and 7-12 under 35 USC §103(a) as being unpatentable over Shimizu in view of Fujiwara (U.S. Patent No. 6,992,788). Applicants respectfully submit that Claims 1-7 and 11-13 to traverse such rejections.

Claim 1 now reads, in part, “synthesis means for combining the second content with the first content in units of tiles, wherein a ranking and popularity are associated with each tile.” Claims 2-6 and 11-13 contain similar language.

The amendments are fully supported by the specification. For example, see the specification in FIG. 20. See also, the specification in paragraph 97, stating, in part, “The tile popularity 242 stores the popularity calculated by the popularity calculation section 102, correspondingly to the specific-tile ID.” See also, the specification in paragraph 107 stating, in part, “The database 141 stores, correspondingly to popularity rankings 271, the file names 242 of image data to be substituted as specific tiles having the rankings ... for example, rankings are assigned to the commercial image of files of advertisers in the descending order of the money they have paid for the advertisements.”

The references Shimizu and Fujiwara do not disclose or suggest tiles having rankings or popularity associated. The reference Fujiwara merely splits a web page into tiles but does not rank tiles or measure the popularity of individual tiles as is disclosed and fully supported by the specification. Additionally, the reference Shimizu cannot be relied upon to cure the deficiencies of Fujiwara.


For at least the foregoing reasons, Applicants respectfully submit that Claims 1-7 and 11-13, and Claims 8-10 that depend therefrom, are patentably distinguishable and in condition for allowance.

The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing.

Respectfully submitted,

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